

counterclaims or discovery requests or that the format of the appellate brief prepared by Campbell did not exactly comply with Mississippi Rules of Appellate Procedure. Instead, it is clear from this Court's ruling that the Chambers lost the underlying lawsuit because of their own actions rather than as a result of any negligence by Campbell.

¶ 9. In *Chambers*, this Court held that the foreclosure could not be set aside because the Chambers leased the property from the McDonalds after the foreclosure sale. *Chambers*, 822 So.2d at 1115 (¶ 7). We concluded that a mortgagor who is silent at the time of the foreclosure sale and thereafter leases the property from the mortgagee is estopped from subsequently challenging the validity of the foreclosure. *Id.* We further held that the Chambers could not contest the foreclosure sale without paying the original indebtedness due the Bank. *Id.* at (¶ 8). Thus, we held that since the Chambers had not paid the debt and were not able to do so, they could not in equity seek a cancellation of the foreclosure. *Id.* We also held that the Chambers' claim that the foreclosure sale should be nullified because of a defective substitution of the trustee in the deed of trust was without merit. *Id.* at 1116 (¶ 11). This Court found that "the substitution was both acknowledged and recorded in a proper manner." *Id.*

¶ 10. Based on this Court's opinion, it is clear that the Chambers can prove no set of facts upon which they can recover against Campbell. Therefore, because the Chambers failed to present sufficient evidence to create a genuine issue of fact on the proximate cause element of their legal malpractice claim, we find that the circuit court correctly granted summary judgment and affirm.

¶ 11. The Chambers also allege that Campbell violated Rule 1.7(b) of the Mississippi Rules of Professional Conduct. The Chambers claim that Campbell had an undisclosed conflict between the interest of the Chambers and the interest of the Bank in the underlying case because Campbell's father had previously been an officer of the Bank's predecessor institution. However, there is no evidence that Campbell's father had any involvement in the transaction between the Bank and the Chambers. Campbell's father died two years before the foreclosure sale was held and had retired from the Bank several years prior to his death. The fact that Campbell's father at one time was employed by the opposite party in the underlying suit does not, standing alone, violate the Mississippi Rules of Professional Conduct. Thus, we find that this issue lacks merit.

¶ 12. THE JUDGMENT OF THE WARREN COUNTY CIRCUIT COURT GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT IS AFFIRMED. ALL COSTS OF THIS APPEAL ARE ASSESSED TO THE APPELLANTS.

KING, C.J., BRIDGES AND LEE, P.JJ., IRVING, MYERS, CHANDLER, BARNES AND ISHEE, JJ. CONCUR.

App. 6

Supreme Court of Mississippi
Court of Appeals of the State of Mississippi
Office of the Clerk

Betty W. Sephton	(Street Address)
Post Office Box 249	450 High Street
Jackson, Mississippi	Jackson, Mississippi
39205-0249	39201-1082
Telephone: (601) 359-3694	e-mail: sctclerk@mssc.state.ms.us
Facsimile: (601) 359-2407	

January 18, 2005

This is to advise you that the Mississippi Court of Appeals rendered the following decision on the 18th day of January, 2005.

Court of Appeals Case # 2004-CP-00718-COA
Trial Court Case # 02-0156CI

Bruce Chambers and Peggy Chambers v. Jerry Campbell

The judgment of the Warren County Circuit Court granting defendant's motion for summary judgment is affirmed. All costs of this appeal are assessed to the appellants.

***NOTICE TO CHANCERY/CIRCUIT/
COUNTY COURT CLERKS***

If an original of any exhibit other than photos was sent to the Supreme Court Clerk and should now be returned to you, please advise this office in writing immediately.

App. 7

Supreme Court of Mississippi
Court of Appeals of the State of Mississippi
Office of the Clerk

Betty W. Sephton	(Street Address)
Post Office Box 249	450 High Street
Jackson, Mississippi	Jackson, Mississippi
39205-0249	39201-1082
Telephone: (601) 359-3694	e-mail: sctclerk@mssc.state.ms.us
Facsimile: (601) 359-2407	

April 12, 2005

This is to advise you that the Mississippi Court of Appeals rendered the following decision on the 12th day of April, 2005.

Court of Appeals Case # 2004-CP-00718-COA
Trial Court Case # 02-0156CI

Bruce Chambers and Peggy Chambers v. Jerry Campbell

Appellants' motion for rehearing is denied.

***NOTICE TO CHANCERY/CIRCUIT/
COUNTY COURT CLERKS***

If an original of any exhibit other than photos was sent to the Supreme Court Clerk and should now be returned to you, please advise this office in writing immediately.

Serial: 124470

IN THE SUPREME COURT OF MISSISSIPPI

No. 2004-CT-00718-SCT

BRUCE CHAMBERS AND PEGGY CHAMBERS

v.

JERRY CAMPBELL

ORDER

(Filed Jun. 23, 2005)

This matter came before the Court on the Petition for a Writ of Certiorari filed by Bruce Chambers and Peggy Chambers, pro se. The Court has considered the petition and finds that it should be denied.

IT IS THEREFORE ORDERED that the Petition for a Writ of Certiorari filed by Bruce Chambers and Peggy Chambers, pro se, is hereby denied.

SO ORDERED, this the 14th day of June, 2005.

/s/ James W. Smith, Jr.
JAMES W. SMITH, JR.,
CHIEF JUSTICE FOR
THE COURT

TO DENY: SMITH, C.J., WALLER AND COBB, P.JJ.,
EASLEY, CARLSON, GRAVES, DICKINSON, AND
RANDOLPH, JJ.

NOT PARTICIPATING: DIAZ, J.

